

File No. PDA-073-16-REZ

To: City of St. Louis Planning Commission

From: Don Roe, Director

Subject: Submittal of Resolution for Recommendation of Zoning District Map Amendment

(Rezoning by Petition) -- City Block 5090 (4547 & 4901-09 Geraldine Ave.)

Date: September 2, 2016

Summary

Submittal: Proposed amendment of the Zoning District Map by petition for Planning Commission review and recommendation

Site: 0.49-acre site, consisting of 5 contiguous vacant parcels -- 4547 and 4901-09 Geraldine Ave. -- located mid-block on Geraldine Ave. -- between Lillian Ave. and Bircher Blvd. -- in the Mark Twain neighborhood.

Proposal: Rezoning the 5 parcels from the "A" Single-Family Dwelling District to the "F" Neighborhood Commercial District.

Land Use: The rezoning site currently consists of 5 vacant lots. Residential buildings were demolished on 3 of the 5 parcels within the last year. The petitioner would like to consolidate these 5 parcels with a large recently consolidated parcel (although City records and maps have not been updated and



still reflect the previous 10 parcels and a portion of an alley). The petitioner further proposes to construct a strip shopping center that would encompass virtually the remainder of the block as a second phase of its development project. The first phase -- the construction of a gas station and convenience store -- is currently under construction on the adjacent recently consolidated parcel. Consolidation of the parcels as currently zoned would result in a parcel with multiple zoning districts, which would require the proposed project to meet the requirements of the more restrictive zoning -- the "A" Single-Family Dwelling District -- which would not allow for the construction of the proposed project. A rezoning of the parcels to the "F" Neighborhood Commercial District, would allow for the proposed project to be in compliance with the Zoning Code.

Petitioner: John Anselmo, of Crown Construction of MO, Inc., who is representing Union & 70, LLC, which owns the 5 parcels.

Support Letter: The petitioner has submitted a letter of support from Alderwoman Sharon Tyus (1st Ward). However, the letter is dated July 2, 2014 and only refers to 3 of the 5 parcels proposed for rezoning. He has been unsuccessful in obtaining an updated letter of support from Alderwoman Tyus.

Recommended Action

That the Planning Commission finds the petition for the proposed Zoning District Map amendment for five parcels located in City Block 5090 -- 4547 and 4901-09 Geraldine Ave. -- to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

1.0 Background

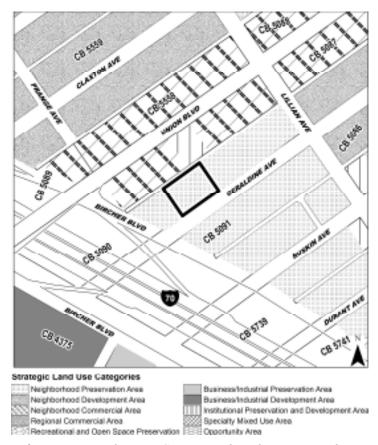
- The rezoning site consists of five parcels -- 4547 & 4901-09 Geraldine Ave. -- and is approximately 0.49 acres in size. It is located mid-block on Geraldine Ave. -- between Lillian Ave. and Bircher Blvd. -- in the Mark Twain neighborhood.
- The rezoning site currently consists of 5 vacant lots. It is currently zoned as "A" Single-Family Dwelling District. Residential buildings were demolished on 3 of the 5 parcels within the last year. The petitioner would like to consolidate these 5 parcels with a large recently consolidated parcel (although City records and maps have not been updated and still reflect the previous 10 parcels and a portion of an alley). The petitioner further proposes to construct a 13,500-square foot strip shopping center that would encompass virtually the remainder of the block as a second phase of its development project. (Only an existing corner store, Union Market, located at the corner of Union Blvd. and Lillian Ave., would remain.) The first phase -- the construction of a Mobil gas station and Crown Mart convenience store -- is currently under construction on the adjacent recently consolidated parcel. (A previous rendering of the strip shopping center -- submitted as part of an earlier rezoning -- is attached as Exhibit "C".) Consolidation of the parcels as currently zoned would result in a parcel with multiple zoning districts, which would require the proposed project to meet the requirements of the more restrictive zoning -- the "A" Single-Family Dwelling District -- which would not allow for the construction of the proposed project. A rezoning of the parcels to the "F" Neighborhood Commercial District, would allow for the proposed project to be in compliance with the Zoning Code. It should be noted, however, that additional steps will need to be taken by the petitioner prior to constructing the second phase of the development project. These include purchasing the remaining parcels on the block, demolishing the existing buildings, rezoning the remaining parcels that are zoned "A", vacating the remainder of the alley, and consolidating the parcels.
- The amendment proposes changing the zoning for the five parcels from the "A" Single-Family Dwelling District to the "F" Neighborhood Commercial District. As Exhibit "A" shows, there is a consistent pattern of zoning for the adjacent area, with parcels facing Union Blvd. being zoned "F" and parcels facing Geraldine Ave. being zoned "A". The only exceptions are three parcels -- 4537-45 Geraldine Ave. -- which were rezoned from "A" to "F" in 2014 to allow for the development of the first phase of the development project.
- The petitioner is John Anselmo, of Crown Construction of MO, Inc. He is representing Union & 70, LLC. The latter company owns the 5 parcels.
- Existing land uses adjacent to the rezoning site include a variety of residential, commercial and institutional uses. Most land uses along Geraldine Ave. are low-density residential uses and vacant lots. Land uses vary along Union Blvd., although low-density residential uses, commercial uses and vacant lots are most common. Building conditions vary as well. It should be noted that several residential buildings have been recently demolished in anticipation of the second phase of the development project. Photos of the rezoning site and adjacent areas are included in Exhibit "F".

- In its rezoning petition (see Exhibit "B"), the petitioner states as its Grounds for Petition: "Consolidation."
- The City's Zoning Administrator cites in the attached letter (see Exhibit "C") that: "The purpose of the change in the zoning of the subject parcels is to bring the property into conformity with its intended future use. Given that the subject property will provide for improved commercial opportunities in the immediate area; that by rezoning subject property would bring it into conformity with the Zoning Code; and that good zoning practices work toward the elimination of improper zoning designations, there is a basis established that a less restrictive zoning classification would be appropriate and would enhance the general welfare of the City." She further states that: "It is the recommendation of the Zoning Administrator that the subject parcels in City Block 5090 be rezoned from the current classification of "A" Single-Family Dwelling District to the "F" Neighborhood Commercial District."
- The petitioner has submitted a letter of support from Alderwoman Sharon Tyus (1st Ward). However, the letter is dated July 2, 2014 and only refers to three of the five parcels proposed for rezoning. The petitioner has been unsuccessful in obtaining an updated letter of support from Alderwoman Tyus.

2.0 Comments

PDA staff has reviewed the proposed amendment of the Zoning District Map for five parcels located at 4547 and 4901-09 Geraldine Ave. and recommends approval of the rezoning to the "F" Neighborhood Commercial District. This recommendation is based on the reasons cited in the Zoning Administrator's letter and the proposed rezoning's conformity with the City's Strategic Land Use Plan.

The Strategic Land Use Plan designates the rezoning site as a Neighborhood Preservation Area (NPA). This Strategic Land Use Category is defined as: "Areas where the existing housing and corner commercial building stock will be preserved and augmented with infill residential and corner commercial development physically integrated with, and primarily serving the immediate neighborhood. These areas generally consist of stable residential areas of the City, including but not limited to historic districts, where the character of the neighborhood is currently well preserved with relatively few vacant lots and abandoned buildings. The contemplates continued preservation improvement, with quality rehabilitation and infill



new construction that is sensitive to the character of existing residences. Commercial and institutional uses catering to the immediate needs of the neighborhood are acceptable and reflect the traditional role such activity has played in the history of the City."

The proposed rezoning would facilitate the redevelopment of the five subject parcels and adjacent parcels into a strip shopping center. As stated above, corner commercial uses are acceptable in a Neighborhood Preservation Area. The proposed development project would also provide additional commercial opportunities in the area. The

development site may also be more suited for commercial development as Union Blvd. features a full four-way interchange with Interstate 70, including two highway entrance ramps and two highway exit ramps.

In addition, the five subject parcels are located adjacent to a Neighborhood Commercial Area, which extends virtually the entire length of the under-utilized Union Blvd. corridor from Interstate 70 to West Florissant Ave. One of the reasons that Union Blvd. has been unable to attract substantial commercial development has been that the existing commercial zoning ("F" Neighborhood Commercial District) includes only the blockfaces facing Union Blvd. -- with land on the other side of the adjacent alleys zoned "A" Single-Family Dwelling District. The proposed rezoning will provide more land for a larger development project.

Lastly, the Strategic Land Use Plan provides for some flexibility with the "adjacency rule", which states that: "Recognizing that the Land Use Plan map assigns general land use categories to blocks and parcels based on current projections for development and preservation and recognizing that these designations are not exact, the Planning Commission may, in its discretion, consider a use/development/project to be in conformance with the Plan when the proposed use/development/project is allowed under the Plan in a directly abutting area." Thus, the proposed rezoning is in conformity with the City's Strategic Land Use Plan.

2.1 Public Input

The Board of Aldermen's Housing, Urban Development and Zoning (HUDZ) Committee will conduct a public hearing as part of the legislative process.

2.2 Previous Commission Action

At its December 3, 2008 meeting, the Planning Commission reviewed and recommended for approval a Chapter 99 Blighting Study and Redevelopment Plan for the Union Blvd./I-70/W. Florissant Ave. Redevelopment Area. This Redevelopment Area was approved by Ordinance 68268. It includes a majority of the parcels located along a four-block stretch of Union Blvd. between Interstate 70 and W. Florissant Ave. -- including the recently consolidated parcel that is the site of the gas station and convenience store which is under construction. The Redevelopment Plan was established to eliminate the blight and to encourage the redevelopment of properties along Union Blvd. into productive residential and commercial uses by providing up to 15 years of tax abatement.

2.3 Requested Action

Section 26.92.010 of the City of St. Louis Revised Code requires that any amendment or change in the boundaries or regulations of the Zoning Code shall be initiated by motion of the Planning Commission or by the filing of a petition with the Zoning Administrator by the owner or owners of the property within the district.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 1 states that the Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City and perform all functions required by applicable state law to be performed by a municipal zoning commission.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 4 states that the Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all members of the Board of Aldermen.

Requested Recommendation

That the Planning Commission finds the petition for the proposed Zoning District Map amendment for five parcels located in City Block 5090 -- 4547 and 4901-09 Geraldine Ave. -- to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

- 1. The petition for the amendment of the Zoning District Map (to the "F" Neighborhood Commercial District) for five parcels (known as 4547 and 4901-09 Geraldine Ave.) located in City Block 5090 is hereby found to be in conformity with the City's Strategic Land Use Plan.
- 2. The petition for the amendment of the Zoning District Map (to the "F" Neighborhood Commercial District) for five parcels (known as 4547 and 4901-09 Geraldine Ave.) located in City Block 5090 is hereby recommended for approval.
- 3. The Director of the Planning and Urban Design Agency is hereby directed to notify the City's Board of Aldermen of this recommendation.

EXHIBIT A DISTRICT MAP

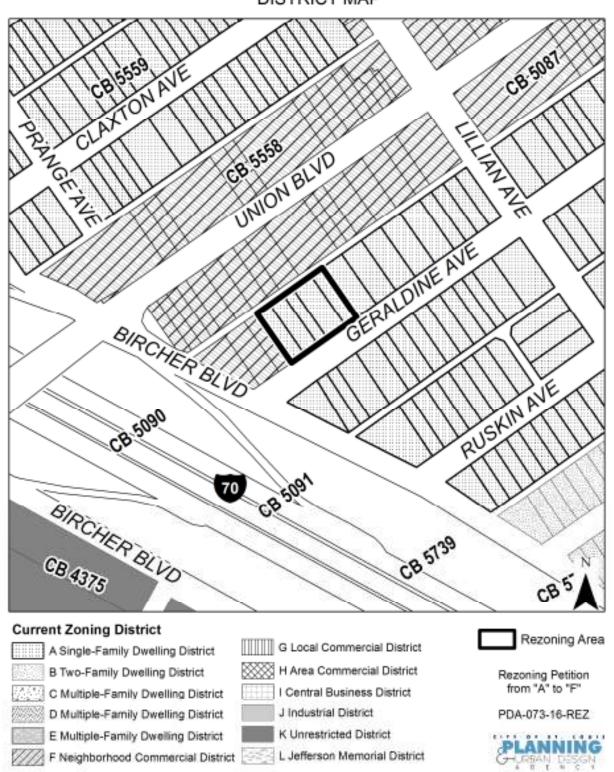


EXHIBIT B



PETITION FOR ZONING AMENDMENT (REZONING)

CITY OF ST. LOUIS

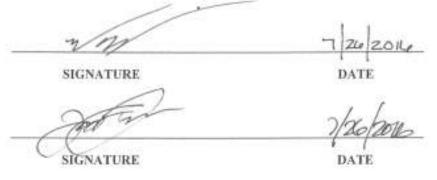
Petitioner's Name LALON &	10,uc			
Contact Name (If above is a firm/an or	ganization)	Auseumo		
Address 3878 De ML	KING De	IVE SIL	10	63113
Phone 34 420 3205 Fax	NA	Email _>	HN. ECS	S& CHARTER. JET
A complete Legal Description of Prope may also attach any plans, conceptual of this request). SEE ATTA	trawings or proposa			
Address(es) including street number(s)	/ name(s) of Propert	y(s) to be Rezoned		
4547, 4901, 4903 4905	\$ \$ 4909	GERMONE	- /	-001-00-0300-0
City Block No. 5090	Parcel No.	5090 -00 - 032- 5090 - 00 - 310	0-0/	5090-00-0300-0 5090-00-0290-0
Requested Zone/FBD Change From	A	To_F	/	5090-00-0280-
die	t specific zoning thetrics or	FBD Zone) Hist spe	eific groing dis	trict or FBD Zone)
The following can be listed or mapped	on additional sheet	e . /		
Present Use of Property(s) F	ESIDELITAL	-VACA-IT	7.0	
Intended Use of Property(s)	MIXED USE	COMMERC	104-7	RETAIL.
Grounds for Petition CANS	LATERALIC			
Are you the owner of the proper	ty described?	ES		
 If not, what is your legal interes 	t in the property?			
 The owner(s)-of-record of the p Records is(are) known as 				
If you are <u>NOT</u> the owner(s)- of-record Affidavit on Page 4, for each of the own notarized.		the petitioned proper	rty and it M	<u>tUST</u> be
7/1/		2/1/	2014	9
Signature(s) of Petitioner(s)		Date File	ed	
		~ ~	4.00	

Received and deemed complete by Zoning on 8 / 9 / 16
City of St. Louis, Office of the Zoning Administrator
Room 400, City Hall, St. Louis, MO 63103

CITY OF ST. LOUIS

		AFFIDAVIT		
I/We /	n/	own	the property(ies)	
commonly known as	PRINT NAME(S 4647 ,4901 , 40) 03,4905 \$4909	_in City Block	
City Block Number(s)		ADDRESS(ES) and Parcel Number(s)	5090-00-320-0 5090-00-310-0 5090-00-300-0	5090.00.390.0

I/We acknowledge and consent to a rezoning study to be initiated on above properties.



This affidavit must be signed by all individual property owners or legal representative. Signature(s) must be notarized.

> JOHN S. ANSELMO Notary Pable - Motary Seal State of Missouri Commissioned for St. Louis County My Commission Expires: July 14, 2018 Commission Number: 14528569

> > JH-1A-DE-LO

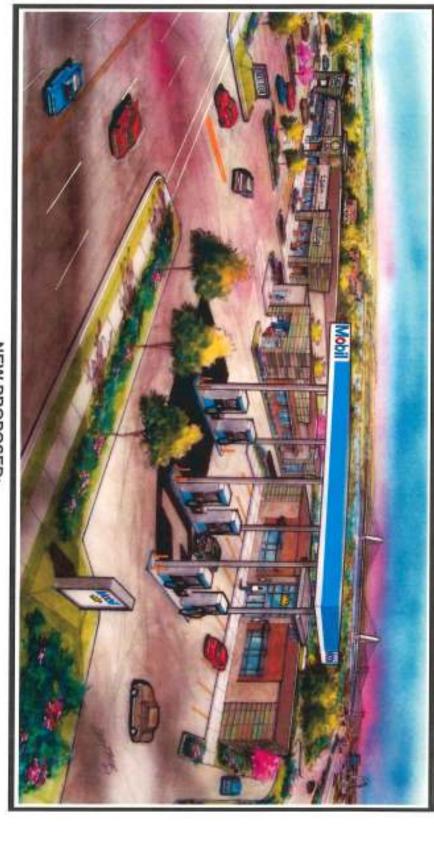
City of St. Louis, Office of the Zoning Administrator Room 400, City Hall, St. Louis, MO 63103

LAND DESCRIPTION

A TRACT OF LAND BEING LOTS 8, 9, 10, AND THE NORTHEASTERLY 17:50 FEET OF LOT 11 IN BLOCK 11 OF HARNEY HEIGHTS SUBDIVISION, A SUBDIVISION RECORDED IN PLAT BOOK 15, PAGE 110, CITY OF ST LOUIS RECORDS, BEING IN CITY BLOCK 5090, CITY OF ST LOUIS, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

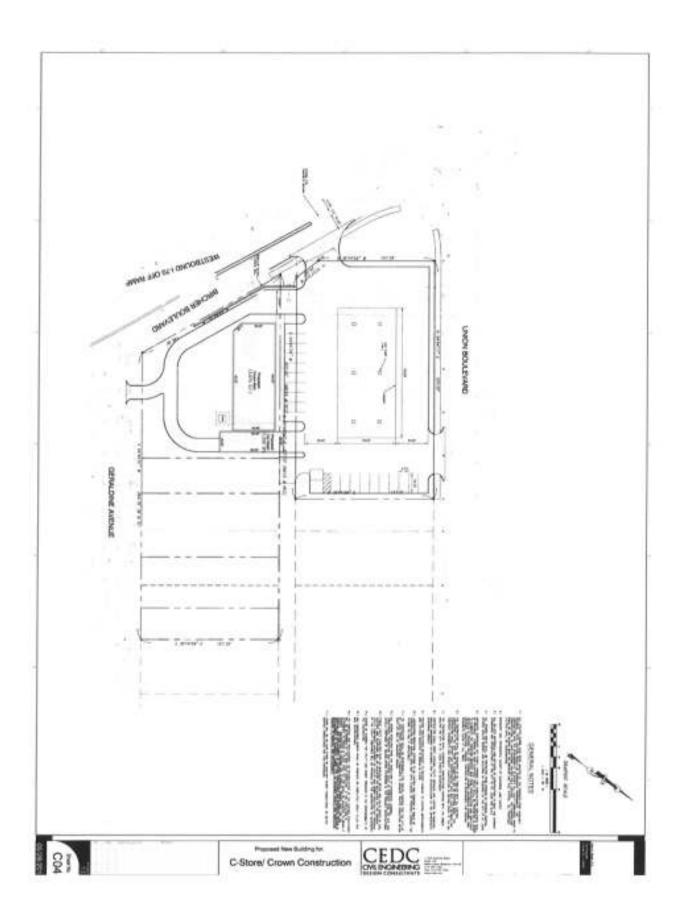
BEGINNING AT AN IRON ROD SET THE INTERSECTION OF THE LINE COMMON TO LOTS 7 AND 8 IN SAID BLOCK 11 AND THE NORTHWESTERLY LINE OF GERALDINE AVENUE, 60 FEET WIDE; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 54 DEGREES 44 MINUTES 51 SECONDS WEST 167.50 FEET TO THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 17.50 FEET OF SAID LOT 11; THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 35 DEGREES 14 MINUTES 59 SECONDS WEST 127.30 FEET TO AN IRON ROD SET ON THE SOUTHEASTERLY LINE OF A 15 FOOT WIDE ALLEY; THENCE ALONG SAID SOUTHEASTERLY LINE NORTH 54 DEGREES 44 MINUTES 34 SECONDS EAST 167.50 FEET TO A COTTON SPINDLE SET ON THE AFORSAID LINE COMMON TO LOTS 7 AND 8; THENCE ALONG SAID COMMON LINE SOUTH 35 DEGREES 14 MINUTES 59 SECONDS EAST 127.32 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION AND CONTAINING 21,325 SQUARE FEET (0.490 ACRES), MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS OF RECORD, IF ANY.

EXHIBIT C



CROWN MART WY

1-70 & Union Blvd. St. Louis, Missouri





City of St. Louis

DEPARTMENT OF PUBLIC SAFETY DIVISION OF BUILDING AND INSPECTION FRANCIS G. SLAY



FRANK OSWALD BUILDING COMMISSIONER

TO: City of St. Louis Planning Commission

FROM: Mary Hart Burton, Zoning Administrator

SUBJECT: Rezoning - Mark Twain Neighborhood - City Block 5090 (4547, 4901, 4903,

4905 & 4909 Geraldine Avenue)

DATE: September 7, 2016

INITIATION:

Mr. John Anselmo, representing the owner of record, Union & 70 LLC, for the above referenced parcels, petitioned the Zoning Administrator as provided for in Chapter 26.92 of the 1994 Revised Code of the City of St. Louis, to change the Zoning District Map of the City in the Mark Twain Neighborhood. Specifically, the petition focused on five parcels in City Block 5090, commonly known as 4547, 4901, 4903, 4905 & 4909 Geraldine Avenue that are currently zoned "A" Single-Family Dwelling District. The parcels are located in the 1st Ward of the City of St. Louis.

PURPOSE:

The request is based on the Petitioner's future plans to consolidate these five parcels with an additional 10 parcels, also in city block 5090 (4540-4914 Union Blvd. & 4537-4545 Geraldine Avenue), and zoned "F" Neighborhood Commercial District. The Petitioner further proposes to construct a new retail strip center, as an addition to the convenience store and motor fuel pumping station that is currently under construction at 4540 Union, adjacent to the parcels they are petitioning to rezone. Consolidation of all parcels as currently zoned would result in dual zoning that would require the proposed project to meet the requirements of the more restrictive zoning, "A" Single-Family Dwelling District, which would not allow for the construction of the proposed project. A rezoning of the aforementioned parcels to the "F" Neighborhood Commercial District, would allow for the proposed project to be in compliance with the Zoning Code.

The purpose of the change in the zoning of the subject parcels is to bring the property into conformity with its intended future use. Given that the subject property will provide for improved commercial opportunities in the immediate area; that by rezoning subject property would bring it into conformity with the Zoning Code; and that good zoning practices work toward the elimination of improper zoning designations, there is a basis established that a less restrictive zoning classification would be appropriate and would enhance the general welfare of the City.

RECOMMENDATION:

It is the recommendation of the Zoning Administrator that the subject parcels in City Block 5090 be rezoned from the current classification of "A" Single-Family Dwelling District to the "F" Neighborhood Commercial District.

cc: Alderwoman Sharon Tyus, 1st Ward Frank Oswald, Building Commissioner

Building Safety is NO Accident



EXHIBIT E

Hart, Mary <hartm@stlouis-mo.gov>

(no subject)

1 message

John Anselmo <john.scs@charter.net>
To: Mary Hart <HartM@stlouis-mo.gov>, "Lordi, Bob" <lordib@stlouis-mo.gov>
Co: msaid@sbcglobal.net

Tue, Aug 2, 2016 at 3:44 PM

Bob/Mary,

This is the Letter of Support originally obtained for the project. The current rezoning applied for is a continuation of this process and is at the insistence of the Alderwoman as all of these percels had to be bought and consolidated into one piece at her behest. BOA likewise has requested that this process continue. Since the project has begun it has been increasingly difficult to reach the Alderwoman and obtain anything additionally.

Regards,

John Anselmo

Crown Construction of MO, Inc.

3878 Dr. Martin Luther King Drive

St. Louis, MO 63113

314-420-3205

John.ecs@charter.net





Sharon Tyus Alderwoman, 1" Ward

BOARD OF ALDERMEN CITY OF SAINT LOUIS MISSOURI

COMMITTEES
Convention, Tourism, Arts & Humanities
Stroots, Traffic & Robuse
Transportation & Zoning
Intergovernmontal Affets

July 2, 2014

Ms. Mary Hart Zoning Administrator City of St. Louis City Hall, Room 1200 Market St. Louis, MO 63103

Re: Request for Rezoning 4537, 4541, 4547, 4905, & 4909 Geraldine

Dear Ms. Hart:

This letter is to request your offices assistance in rezoning several parcels of land in anticipation for the building of a service station and strip mall in the 4500 and 4900 blocks of Union and the 4500 and 4900 blocks of Geraldine. Geraldine is the street immediately east of Union and they are connected by an alley. The properties are owned by Mr. Majed Abusaid Company Union & 70 LLC.

I have been working with Mr. Abusaid and his partners for several months regarding this proposed development. I was initially hesitant to support the project because a new gas station had just opened across the street on Union and Bircher and the proposed new development would abut residential property.

After meeting with Mr. Abusaid and his minority partner I was convinced by their willingness to build a strip mall rather than just a gas station. Their willingness to purchase the residential property on Geraldine to build berms, fencing, and landscaping to buffer any potential noise that might affect the residential homes that would remain on the east and west side of Geraldine, and Mr. Abusaid good tract record with his other Crown Gas Stations in the City of St.

Louis,

Page 2 - Mary Hart Burton

Re: Request for Rezoning 4537, 4541, 4547, 4905, & 4909 Geraldine

The properties to be rezoned are 4537, 4541, 4547, 4905, & 4909 Geraldine.

Mr. Abusaid is also working to purchase 4547 Union which when and if
purchased would also need to be rezoned. Currently the properties are zoned A single
family.

Mr Abusaid owns the abutting properties on Union; 4540, 4542, 4902, 4906, 4906-07, 4910, & 4914 Union which are zoned F Neighborhood Commercial. These properties on Geraldine and Union will be combined to build the first phase of a proposed gas station and strip mult. Thus, they will need to be rezoned accordingly.

As I understand it for a gas station to be built at this site, there will have to be other zoning considerations and or hearings. Please advise me as to the proper procedure so that we may move forward with this project.

I expect to offer some financial considerations such as tax abatement to this project,

Your expedient handling of this matter as well as your guidance as to the next steps I should take is greatly appreciated.

Thank you in advance and if you have questions feel free to contact me at the below contact numbers.

Respectfully,

Sharon Tyus

Alderwoman 1st Ward

Exhibit "F"

Photos of Rezoning Site in City Block 5090



1) Rezoning site Vacant lots, 4547 & 4901-09 Geraldine Ave. (Looking westward)



2) Rezoning site Vacant lots, 4547 & 4901-09 Geraldine Ave. (Looking northward)



3) Adjacent properties
Mobil gas station & Crown Mart convenience
store
(Looking eastward)



4) Adjacent properties
Mobil gas station & Crown Mart convenience
store
(Looking westward)

Exhibit "F"

Photos of Rezoning Site in City Block 5090



5) Adjacent properties 2 1-family buildings, 4915-19 Geraldine Ave. (Looking westward)

6) Adjacent properties
Emmanuel Temple Church of God & related
parking lot, 4920-32 Union Blvd.
(Looking eastward)



7) Adjacent properties 6 vacant lots, 4934-54 Union Blvd. (Looking eastward)



8) Adjacent properties 2 residential buildings, 4902-04 Geraldine Ave. (Looking eastward)